

last Will and Testament of Sidney Sappington, deceased.

Certified copies of all of said deeds hereinbefore mentioned are filed herewith and marked Exhibits 1, 2, 3, 4 and 5.

2. That the said Sidney St. John Sappington, father of the plaintiffs and defendants in this cause, was in the year 1933 by the Circuit Court for Frederick County, Maryland, adjudged insolvent in No. 7868 Insolvents upon the Insolvent Docket of said Court, in which proceedings the Permanent Trustee was authorized by said Court to sell the life estate of Sidney St. John Sappington in the first three named tracts and parcels of real estate mentioned and described herein, and the fee simple interest of said Sidney St. John Sappington in and to each of the other tracts of land herein described as Nos. (4) and (5), all of which said Permanent Trustee did sell and convey unto R. Francis Sappington and Sidney S. Sappington, Jr., two of the children of Sidney St. John Sappington, both of whom are parties to this cause, by deed dated August 5, 1933, and which said deed is recorded in Liber 388, folio 254, one of the Land Records for Frederick County, Maryland, a certified copy of which is filed herewith marked Exhibit No. 5.

3. That the said Sidney St. John Sappington, father of the parties plaintiff and defendant in this cause, died on or about the 24th day of ~~July~~^{June}, 1944, whereby the said life estate of Sidney St. John Sappington in and to the said 1, 2 and 3 ~~4~~⁴ tracts and parcels of land herein described was extinguished, and the fee simple title thereto upon the death of the said Sidney St. John Sappington is now vested in the plaintiffs and defendants in this cause by virtue of the will of said Sidney Sappington, as tenants in common; excepting, however, the tracts and parcels 4 and 5 mentioned and described herein that the fee simple interest thereto is now vested in R. Francis Sappington, the plaintiff, and Sidney St. John Sappington, the